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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/881,532      | 06/14/2001  | Jeffrey A. Pritchard | 42252-1004          | 8145             |

32968 7590 05/05/2006

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| EXAMINER |
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AL AUBAIDI, RASHA S

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| ART UNIT | PAPER NUMBER |
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2614

DATE MAILED: 05/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                        |                       |  |
|------------------------------|------------------------|-----------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b>   |  |
|                              | 09/881,532             | PRITCHARD, JEFFREY A. |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>       |  |
|                              | Rasha S. AL-Aubaidi    | 2614                  |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 36-55 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 36-55 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's amendment filed on 12/27/2005 has been entered. No claims have been amended. Claims 1-35 have been canceled. Claims 36-55 have been added. Claims 36-55 are still pending in this application, with claims 36, 38 and 45, being independent.

### ***Claim Rejections - 35 USC § 102***

2. Claims 36-49 and 53-55 are rejected under 35 U.S.C. 102(e) as being anticipated by Schlager et al. (US PAT # 6,198,390).

Regarding claim 36, Schlager teaches a method for providing location-based responses (see col. 6, lines 25-28) to a user utilizing a wireless communications device (remote station 302, see col. 12, lines 1-2, see also, Fig. 7 and 8), the method comprising the steps of: the user storing at least one target location in a memory of the wireless communication device (reads on the separation distance, see col. 11, lines 55-57); the user storing at least one target range (the target range reads on the received field, see col. 12, lines 39-46) in the memory (reads on circuit 328, see col. 12, lines 11-13), the target range corresponding to the at least one target location and defining a surrounding target area that includes the at least one target location (see col. 7, lines 49-57 and col. 8, lines 60-67); the user storing an output response in the memory that corresponds to the at least one target location (this can reads on the limit value 124,

see col. 9, lines 33-55 and col. 7, lines 34-60), the output response for reminding the user of the wireless communications device that a specific activity is associated with the target location (this can read on the “warning given”, see col. 15, lines 1-16); determining a present location utilizing a global positioning system (GPS) of the wireless communications device (col. 3, lines 57-60); determining whether the present location within the target area of at least one target location utilizing a processor of the wireless communication device (see col. 12, lines 16-48 and col. 15, lines 1-16); and outputting the output response on a user interface of the wireless communications device if the present location is within the target area (reads on display 324 in Fig. 11, col. 12, line 9, see also, col. 10, lines 65-67).

Claims 38-42, 44-45 and 54 are rejected for the same reasons as discussed above with respect to claim 36. For claim 38, the claimed “a plurality of physical locations” reads on storing several geographical areas information, see col. 20, lines 22-65). For claim 45, the claimed “wireless communications network” reads on read son networks Cellular phone network 538, Wireless network 540, and radio relay network 542 (see Fig. 17), the claimed “antenna” reads on antenna 306 and/or antenna 322 (see col. 12, lines 1-8); the claimed “memory” reads on circuit 328 (see col. 12, lines 11-13); the claimed “user input device” reads on numerals 150 to enter information (see col. 9, lines 18-20); and the claimed “controller” reads on element 378 (see Fig. 12). For claims 39-40, see col. 7, lines 34-60.

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Claim 37 basically reads on providing an audible response (reads on audible alarm 254, col. 11, lines 55-59) and visual response (reads on display 324 in Fig. 11, col. 12, line 9, col. 10, lines 65-67, and col. 15, lines 1-16).

Claims 43 and 47 basically recite the use of (GPS), see col. 3, lines 57-60.

For claim 46, see display 324 (Fig. 11).

For claims 48-49, see wireless communications network (540) and cellular communications network (538), col. 15, lines 38-47.

Regarding claim 53, Schlager teaches the target range area is time sensitive (see col. 21, lines 54-65). Also this can be inherent feature.

Claim 55 basically reads on providing an audible alarm 254 (col. 11, lines 55-59).

### ***Claim Rejections - 35 USC § 103***

3. Claim 50-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schlager et al. (US PAT # 6,198,390).

Regarding claim 50, Schlager teaches the mobile wireless communications device is a wireless handheld communications device (remote station 302, see col. 12, lines 1-2, see also, Fig. 7 and 8).

However, Schlager does not specifically teach the wireless handheld communications device is a laptop, a pager, or a PDA.

Therefore, having the mobile wireless communications device as a laptop computer with a wireless modem, a pager or a personal digital assistant (PDA) would have been obvious since a mobile device can be any one of the above mobile wireless communications devices that the user can carry with him/her at any time and place.

Claims 51-52 recite the limitations “the target range area is programmed as a two-dimensional shape, and as a three-dimensional space”. This is obvious since one can program the target range area in any shape and space desired. An area is generally two-dimensional and a building is generally three-dimensional because the height is a dimension in buildings.

#### ***Response to Arguments***

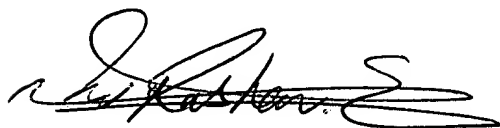
4. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rasha S AL-Aubaidi whose telephone number is (571) 272-7481. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan, can be reached on (571) 272-7493.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**RASHA S. AL-AUBAIDI  
PATENT EXAMINER**

**Art Unit 2614  
04/26/2006**